

Remarks:

Applicant kindly submits the following remarks.

The typographical error in claim 18 is corrected to recite dependence upon claim 17.

Claims 1-5 and 9-13 are rejected under 35 USC 102(b) as being anticipated by Saylor (US 4084367). Saylor is said to disclose an acoustic absorbing material that is substantially free of fibrous glass. To support this proposition, the Examiner cites Saylor, col. 5, lines 55-56. This passage discloses a honeycomb structure for achieving acoustic diffusion rather than acoustic absorption, but does not disclose that the honeycomb structure is an absorbing material that is substantially free of fibrous glass. Saylor describes the honeycomb structure (Saylor, FIG. 2, element 31) as being constructed of "any suitable light-weight material, preferably a nonmetallic material such as paper. (Saylor, col. 6, ll. 1-4). Note that the honeycomb structure of Saylor does not perform acoustic absorption, but rather relies upon acoustic diffusion: that is, the sound waves are broken up into smaller wavelets by the honey comb structure. In contrast, acoustic absorbing material actually absorbs sound waves, rather than merely diffuse them into smaller wavelets. Note in this regard that the honeycomb structure of Saylor is not filled with acoustic absorbing material. Consequently the claims are not anticipated by Saylor. Moreover, Saylor does indeed disclose a "fibrous" layer, (FIG. 2, element 24), comprising a "relatively thick layer of fiberglass". (Saylor, col. 6, ll. 43-47). Thus, the structure of Saylor is not substantially free of fibrous glass. For example, if element 32 is considered the second region, then the second region is bounded by a fiber glass wall element 24. If, on the other hand, element 31 is considered the second region, then the second region is also bound by a fiber glass wall element 24. And in any event, the elements 31 and 34 are not bulk absorbers. Note that the claims are amended to clarify that both the first and second partitions and the region there between (second region) are fibrous-glass-free. The claims are also amended to recite that the absorbing material is a bulk absorber, as opposed to a honeycomb diffuser. Thus, independent claims 1 and 9 are not anticipated by Saylor. Accordingly, neither are the claims dependent thereon anticipated by Saylor.

Hehman (US 4130175) arguably discloses an acoustic absorbing material between a first partition and a second partition. (Hehman, FIG. 2, elements 16, 12 and 18, respectively). The absorbing material may be "Kevlar", a polymer, or "Scottfelt", a polyurethane foam. (Hehman, col. 2, ll. 54-64). In contrast, the claims now expressly recite that the acoustic absorbing material in the middle region consists primarily of cotton or denim fiber or both. (See specification, paragraphs [1005], [1014]). This is not disclosed in the cited references. In this regard, Veen (US 6345688) discloses an absorber that "may also be comprised of natural fibers such as cotton." (Veen, col. 3, ll. 5-10). But Veen does not disclose that the absorber "consists primarily" of cotton. For these reasons, the claimed invention is not anticipated or rendered obvious by the cited references.

Regarding claims 4 and 12, Saylor does not disclose relative incompressibility of the acoustic absorbing material to support the second partition from movement. Once again, there is a distinction between the honeycomb acoustic diffuser 31, 32, and the bulk fiber glass acoustic absorber 24.

Regarding claims 5 and 13, Saylor does not disclose that the septum 34 between the two honey comb sections 31 and 32 is substantially acoustically impenetrable to provide substantial acoustic isolation between the second and third regions. (Saylor, col. 3, ll. 64-66, col. 5, ll. 57-61.) Thus, although the septum 34 provides isolation, Saylor does not disclose acoustic isolation. Consider, for example, that the septum of Saylor may vibrate to communicate sound waves there through.

Regarding claims 6, 14 and 17, Hehman does not disclose that the acoustically penetrable membrane is in direct contact with the first (third) partition. Rather, acoustic penetration of the membrane 20 is provided by spacing elements 18 and 20 apart using spacers 22.

Regarding claims 10 and 11, once again a honeycomb diffuser is not a bulk acoustic absorber.

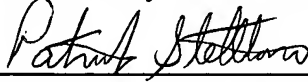
Regarding claims 7, 8, 15, 16, and 18, Veen discloses adhering the membrane 14 to the *bulk absorber* 12, rather than adhering the membrane to the first (third) partition as recited.

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Conclusion

For at least these reasons, Applicant believes the application is now in condition for allowance and respectfully requests the same.

Respectfully Submitted,



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